

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: J. Charles Taylor et al. Confirmation No. 5171

SERIAL NO.: 09/827,252 GROUP ART UNIT: 3731

FILED: April 5, 2001 EXAMINER: Darwin P. Erezo

FOR: ORTHOPAEDIC FIXATION PLATE

ATTORNEY DOCKET NO.: 39262/256238

DATE: January 25, 2008

Mail Stop Amendments
Commissioner for Patents
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Alexandria, Virginia 22313-1450

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I hereby certify that this correspondence is being electronically filed with The United States Patent Office via EFS Web, on January 25, 2008.

/Gina Hamrick/
Gina Hamrick

AMENDMENT AND RESPONSE

Sir:

Please do not enter the Amendment and Response previously filed on January 22, 2008 and replace the Amendment and Response filed on January 22, 2008 with the present Amendment and Response. A Petition for Two-Month Extension of Time and fee are filed herewith. The undersigned respectfully requests that the one-month extension of time fee paid on January 22, 2008 be refunded to Deposit Account number 11-0855 in accordance with 37 CFR 1.26 and MPEP §§ 509, 607.02, as the one-month extension of time fee was filed in excess of the amount required because the January 22, 2008 Amendment and Response is replaced with the present Amendment and Response and a two-month extension of time fee is submitted herewith.

The present Amendment and Response is identical to the Amendment and Response filed on January 22, 2008, except for the following:

- Claim 2 has been amended to delete two references to the “plurality of” struts;
- Claim 43 has been amended to insert the word “the” in front of the reference to “struts” in the last line of the claim;
- Page 10, lines 15-18 of the “Remarks” section has been revised to include the changes to Claims 2 and 42; and
- Page 11, lines 16-17 of the “Remarks” section has been revised to indicate that an executed supplemental declaration is submitted herewith.

Amendments to the Claims are reflected in the listing of claims that begins on page 3 of this paper.

Remarks/Arguments begin on page 10 of this paper.

Conclusion begins on page 15 of this paper.